

AGENDA

MALVERN CITY COUNCIL

Monday, May 9, 2022

First Baptist Church Family Life Center, 6:30 PM

I. CALL MEETING TO ORDER

II. INVOCATION

III. ROLL CALL

IV. APPROVE MINUTES OF THE PREVIOUS MEETING

A. Regular Meeting – April 11, 2022

V. DEPARTMENT REPORTS

- A. Finance Report
- B. Street Department Report
- C. Police Report
- D. Fire/CEO Report
- E. Animal Control Report
- F. LifeNet Report
- G. Water Works Report

VI. OLD BUSINESS

A. Second Reading – Ordinance Closing Undeveloped Portion of Hot Springs St

VII. NEW BUSINESS

- A. Resolution – Cinco De Mayo
- B. Accept Recommendation of CSC fill Vacancy in Ward 1
- C. Use of American Rescue Act Monies for Street Repair

VIII. MAYOR REPORTS

IX. ADJOURNMENT

MINUTES OF THE MALVERN CITY COUNCIL
Monday, May 9, 2022
FIRST BAPTIST CHURCH FAMILY LIFE CENTER
6:30 P.M.

The Malvern City Council met for its regular monthly meeting on Monday, May 9, 2022, at 6:30 p.m. in the Family Life Center of First Baptist Church. City Clerk/Treasurer Phyllis Dial called the meeting to order in the absence of Mayor Brenda Weldon. City Council Member Mary Fraction led the invocation and pledge of allegiance. Answering the roll call were Council members Mary Fraction, William Wilson, Lynn Davis, Wayne Reynolds, Matthew Keenan, David Cross, and Larry Stiles with Peggy Lusinger absent.

A motion was made by Alderman Matthew Keenan, seconded by Alderman Wayne Reynolds to approve the minutes of the regular meeting held on April 11, 2022. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross, and Stiles with Lusinger absent. All present voting for, motion carried, and the minutes of the previous meeting were adopted.

A motion was made by Alderman David Cross, seconded by Alderman Larry Stiles, to accept the Departmental Reports as posted. Alderman Cross asked for clarification on the Code Enforcement Report concerning two citations for the property at 734 Baker Street. Fire Marshall Chris Brewster told the Council that the property owners did not show up for their court date and we would be waiting to see what action the judge takes on the matter. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross, and Stiles with Lusinger absent. All present voting for, and the reports were accepted.

Alderman Reynolds introduced for its second reading by title only, an ordinance vacating an undeveloped portion of Hot Springs Street as requested by Grace Apostolic Church. The City Clerk/Treasurer read the ordinance for its second reading by title only and advised that the ordinance will be heard for its third reading at the June meeting of the Council.

Alderman Keenan introduced a resolution stating that the City Council has no opposition to a private club license requested by local restaurant, Cantina Cinco de Mayo. City Clerk/Treasurer Dial read the resolution. A motion was made by Alderman Keenan, seconded by Council Member Fraction, to adopt the resolution. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross, and Stiles with Lusinger absent. All present voting for, motion carried, and the resolution was declared adopted and assigned No. 05-2022.

RESOLUTION NO. 05-2022

**A RESOLUTION STATING NO OBJECTION TO PRIVATE CLUB LICENSE FOR
CANTINA CINCO DE MAYO**

A motion was made by Alderman Wilson, seconded by Alderman Keenan to accept the recommendation of the Civil Service Commission, and appoint Aubrey Hill to the Commission to fill the vacancy in Ward 1. Voting for the motion were Council Member

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Fraction, Wilson, Davis, Reynolds, Keenan, Cross, and Stiles with Lusinger absent.
All present voting for, the motion carried.

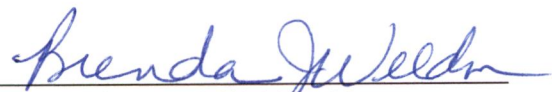
The Council discussed using a portion of the American Rescue Act monies for street projects. City Clerk/Dial Treasurer told the Council that Mayor Weldon had gotten an opinion from the Municipal League that said that streets were an allowable use for the funds. The opinion was included in the Council packets. Dial also said that Weldon had asked her to remind the Council that there is a small window for street projects due to availability and weather, so if the Council desires to use this funding for streets, a decision needs to be made soon. Alderman Reynolds stated that he had reviewed the information that was given to the treasurer-elect at a training session that states that street projects are not an allowable use, and he is concerned about the differing opinions coming from the same source. Several council members expressed their desire to use the funds for streets and drainage but also expressed a desire for clarification. A motion was made by Alderman Reynolds, seconded by Alderman Keenan to table the matter until more information can be obtained. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross, and Stiles with Lusinger absent. All present voting for, the motion carried.

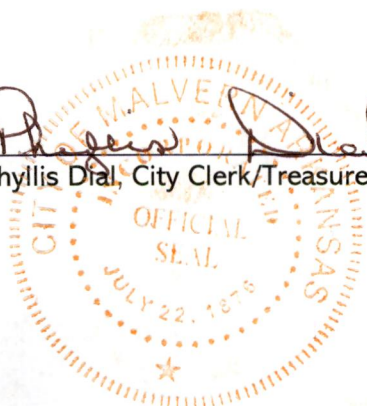
Alderman Keenan stated that he had walked through the new police facility and council chambers and that it was going to be very nice and a project that the people of Malvern can be proud of.

Water Works Manager David Coston told the Council that the Water and Sewer 2021 audit has been posted on the OneDrive for approval next month. He asked if the Council wanted the auditors at the agenda meeting to answer any questions. He explained that they used to come annually to answer questions but had not been before the Council since Covid. Alderman Reynolds said that he thought that would be a good idea.

A motion was made by Alderman Keenan, seconded by Alderman Reynolds, to adjourn. With no further business to come before the Council, the meeting was declared adjourned.


Phyllis Dial, City Clerk/Treasurer


Brenda J. Weldon, Mayor





CIVIL SERVICE COMMISSION
120 W. Third Street
Malvern, Arkansas 72104

April 29, 2022

Mayor Brenda J. Weldon
Malvern City Council
118 W. Third Street
Malvern, Arkansas 72104

Dear Mayor Weldon and members of the Council:

The Civil Service Commission would like to recommend Aubrey Hill, 308 S. Banks Street, to fill the vacancy on the commission as the representative from Ward I. This term will expire April 1, 2027.

Thank you for your attention to this matter.

Sincerely,

Herman Grayer
Malvern Civil Service Commission

pd

Phyllis Dial

From: Brenda J. Weldon
Sent: Tuesday, May 3, 2022 7:01 PM
To: Phyllis Dial; ktaber@malvernar.gov
Subject: Fwd: American Rescue Plan Grant Eligible Expenditures

FYI

Sent from my iPhone

Begin forwarded message:

From: Caran Curry <CCurry@arml.org>
Date: May 3, 2022 at 11:05:16 AM CDT
To: "Brenda J. Weldon" <mayor@malvernar.gov>
Subject: American Rescue Plan Grant Eligible Expenditures

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Mayor,

As per our conversation, I am writing to confirm that the United States Treasury's Final Rule, which was adopted on January 6, 2022, now permits cities to elect to use their Rescue funding on any governmental services provided they elected (during the first annual report) to take the "standard allowance" on revenue replacement up to the amount of its entire award. This means that cities can use the funding for such things as streets, parks, trails, IT and other items that originally were not eligible.

Please let me know if you need any additional information.

Caran Curry, Grants Attorney, Arkansas Municipal League
Phone: 501.517-0416 | Website: www.arml.org/grants